IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No.1826 OF 2007

Girish Yadavrao Sonawane ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr Rajiv Patil with Mr V. V. Purwant, Advocate for the applicant.

Mr K. V. Saste, APP for the respondent.

CORAM: V.C. DAGA,J.
DATED: 10.8.2007.

P.C.

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused the application and the material available on record.

3. The applicant is seeking anticipatory bail in C.R.No. 41 of 2007 registered with Vadgaon Maval Police Station, Pune for the offence under Sections 420, 467, 468, 471 read with Section 34 of the I.P.C.

4. According to the prosecution, one Mohanlal Jatiya resident of Worli Sea Face is the owner of Gat No.42 of Mouje Vadgaon Maval having total area 12 Hectare 65 Ares. A forged sale deed in respect of Gat No. 42 came to be executed in collusion with the accused Nos. 1 to 7. Admittedly, Santosh Mahapatra appeared before the Sub-Registrar, Vadgaon Maval in

the capacity of the owner Mohanlal Jatiya at the instance of Sunil Kamble who is one of the applicant-accused in M.A.No. 1070 of 2007. The sale deed came to be executed for the consideration of Rs. 46,46,250/-.

5. The learned APP for the State could not substantiate any of the adverse finding recorded by the Ad-hoc Additional Sessions Judge, Pune in its order dated 2.6.2007; wherein, it has been mentioned that the present applicant has received consideration of Rs. 12 lac which was paid by the company soon after execution of the sale deed. There is no material to support this finding. So far as the other materials sought to be relied upon, nothing incriminating is found against the present applicant. Under these circumstances, I am inclined to grant bail to the applicant on following terms and conditions.

a] The applicant Girish Yadavrao Sonawane in the event of arrest in connection with C.R.No. 41 of 2007 registered with Vadgaon Maval Police Station, District Pune shall be enlarged on bail subject to furnishing a personal bond of Rs. 25,000/- with one local surety in the like amount.

b] The applicant shall report to the above Police Station once in a week i.e. Monday in

between 3.00 to 5.00 p.m. till conclusion of the trial.

c] The order of bail will be given effect only after the applicant furnish to the Investigating Officer the details about his place of residence and address where he propose to stay after he is enlarged on bail.

d] The applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not, in any manner, tamper with the prosecution evidence.

e] The applicant shall co-operate with the Investigating Officer in investigation.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

6. Application is disposed of in above terms.

(V.C.DAGA,J)